State of South Dakota

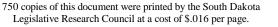
SEVENTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 1999

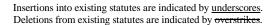
993C0555

SENATE STATE AFFAIRS COMMITTEE ENGROSSED NO. **SB156** - 2/4/99

Introduced by: Senators Hainje, Drake, Lawler, and Paisley and Representatives Cutler, Eccarius, and Lucas

- 1 FOR AN ACT ENTITLED, An Act to restrict the placement of automated teller machines in the
- 2 proximity of video lottery terminals.
- 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:
- 4 Section 1. That § 42-7A-37.1 be amended to read as follows:
- 5 42-7A-37.1. A business licensed pursuant to subdivisions 35-4-2(12) and (16) may not be
- a licensed establishment for video lottery placement pursuant to subdivision 42-7A-1(6) unless
- 7 it is a bar or lounge. For the purposes of this section, a bar or lounge is an enterprise primarily
- 8 maintained and operated for the selling, dispensing and consumption of alcoholic beverages on
- 9 the premises and may also include the sale and service of food. A bar or lounge may be physically
- 10 connected to another enterprise within the same building, which enterprise may be owned or
- operated by the same person. There may be interior access between a bar or lounge and a
- 12 connected enterprise. However, there shall be a floor to ceiling opaque wall separation between
- the two enterprises. A separation wall may be constructed to provide visual and physical access
- 14 for employees from areas in the building not open to the public. The bar or lounge shall have a
- separate entrance and exit. A separate entrance and exit is not required if entrance to the bar may
- only be obtained from the other distinct enterprise and the public may not enter the other





- 2 - SB 156

1 enterprise by first passing through the bar or lounge. No automated teller machine or remote 2 service unit, as defined in § 51A-8-1, may be located in the bar or lounge. All video lottery 3 machines shall be adequately monitored during business hours. Adequate monitoring shall be 4 accomplished by the personal presence of an employee or by an employee using video cameras 5 or mirrors and periodic inspections of the bar or lounge. No new license may be issued to any 6 establishment after July 1, 1992, unless such establishment complies with this section. No license 7 may be renewed to any establishment after July 1, 1993, unless such establishment complies with 8 this section.

- 3 - SB 156

1 **BILL HISTORY**

- 2 1/26/99 First read in Senate and referred to State Affairs. S.J. 198
- 3 2/3/99 Scheduled for Committee hearing on this date.
- 4 2/3/99 State Affairs Do Pass Amended, Passed, AYES 6, NAYS 3. S.J. 312